

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DONALD RUNNELS,
(Montgomery County Jail # 545692)

Petitioner,

vs.

WILLIAM STEPHENS,

Respondent.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION H-14-0142

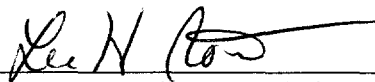
MEMORANDUM AND OPINION

Donald Runnels filed a petition for a writ of habeas corpus on January 21, 2014. In his petition, he states that he was arrested in Louisiana on October 10, 2009 for burglary. A Louisiana state court found Runnels guilty as an habitual offender and sentenced him to a 15-year prison term. On February 4, 2013, he was released on bail pending appeal. On August 7, 2013, the trial court revoked his bond, and on November 6, he was arrested in Texas. On December 4, the Louisiana court issued a warrant for out-of-state bail jumping. Runnels sought to avoid extradition to Louisiana and alleged that he should not be detained in the Montgomery County Jail.

The court has confirmed through telephone inquiry that Runnels is no longer in the custody of the Montgomery County Jail. He was extradited to Louisiana on February 12, 2014. Under Local Rule 83.4, a *pro se* litigant is responsible for keeping the Clerk advised in writing of his current address. Runnels has failed to provide the court with an accurate, current address. Dismissal for want of prosecution and failure to follow the court's rules is appropriate. *See* FED. R. CIV. P. 41(b); *Link v. Wabash R.R.*, 370 U.S. 626 (1962); *Woodson v. Surgitek, Inc.*, 57 F.3d 1406, 1417 (5th Cir. 1995); 8 J. MOORE, FEDERAL PRACTICE § 41.51(3)(b) & (e) (3d ed. 1998).

This action is dismissed without prejudice for want of prosecution. Runnels's motions to proceed *in forma pauperis*, (Docket Entries Nos. 4 & 5), are granted.

SIGNED on March 12, 2014, at Houston, Texas.

A handwritten signature in black ink, appearing to read 'Lee H. Rosenthal', is written over a horizontal line.

Lee H. Rosenthal
United States District Judge